

Please type a plus sign (+) inside this box → +

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 4

Complete If Known

Application Number	Not Assigned
Filing Date	Filed Herewith
First Named Inventor	John B. Taylor
Group Art Unit	Not Assigned
Examiner Name	Not Assigned
Attorney Docket Number	396542

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
M		1,935,599		Rippey	11/14/1933	
		3,798,020		Parham, Jr. et al.	03/19/1974	
		4,075,324		Thizy, et al.	02/21/1978	
		4,119,724		Thizy, et al.	10/10/1978	
		4,139,616		Ducret, et al.	02/13/1979	
		4,542,023		Lacroix, et al.	09/17/1985	
		4,698,334		Horriere, et al.	10/06/1987	
		4,755,614		Corbet	07/05/1988	
		4,780,458		Hodakowski, et al.	10/25/1988	
		4,806,445		Horriere, et al.	02/21/1989	
		4,849,219		Staub, et al.	07/18/1989	
		4,935,410		Barlet	06/19/1990	
		5,070,083		Barlet	12/03/1991	
		5,124,344		Greiner, et al.	06/23/1992	
		5,133,891		Barr, et al.	07/28/1992	
		5,169,646		Horriere, et al.	12/08/1992	
		5,206,228		Collins	04/29/1993	
		5,246,953		Greiner, et al.	09/21/1993	
		5,290,791		Greiner, et al.	03/01/1994	
		5,342,835		Pepin, et al.	08/30/1994	

FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ₆
		Office ³	Number ⁴	Kind Code ⁵ (if known)				

Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

+

b) +

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449A/PTO

(use as many sheets as necessary)

Sheet

2

of

4

Application Number

Not Assigned

Filing Date

Filed Herewith

First Named Inventor

John B. Taylor

Group Art Unit

Not Assigned

Examiner Name

Not Assigned

Attorney Docket Number

396542

[illegible][illegible]

**Examiner
Signature**

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box → +

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete If Known	
		Application Number	Not Assigned
		Filing Date	Filed Herewith
		First Named Inventor	John B. Taylor
		Group Art Unit	Not Assigned
		Examiner Name	Not Assigned
Sheet	3	of	4
		Attorney Docket Number	395824

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		The Use of Red Phosphorus As A Fertilizer. Pot Trials With Perennial Ryegrass and White Clover; Widdowson, Soil Bureau, and H.P. Rothbaum, chemistry Division, Department of Scientific and Industrial Research, Wellington, PP 427-445	
		Bacterial Oxidation of Orthophosphite. George Malancinski and Walter A. Konetzka, Department of Bacteriology, Indian University, Bloomington, Indiana	
		A Definitive Test To Determine Whether Phosphite Fertilization Can Replace Phosphate Fertilization to Supply P In The Metabolism of Hass on Kuke 7, Dr. Carol J. Lovett, Botany and Plant Sciences, University of California, Riverside, PP. 12-13	
		The Biological Inactivity of Glucose 6-Phosphite, Inorganic Phosphites And Other Phosphites. H.E. Robertson and P.D. Boyerl, pp 360-395	
M		The Merck Index. An Encyclopedia of Chemicals, Drugs, and Biologicals. Eleventh Edition: 1989	
		Transition of Phosphite to Phosphate in Soils. Fred Adams and John P. Conrad, pp.361-371	
M		Australasian. Plant Pathology, Vol. 19, Nov. 4, 1990; pp. 112-121; 138-139; pp 144-145	
		The Mode of Action of Phosphite; Evidence for Both Direct and Indirect Modes of Action of Three Phytophthora spp. in Plants; The American Phytopathological Society; Disease Control and Pest Management; Vol. 79, No. 9, 1989, pp 921-926.	
		Crystallography and Equilibrium Solubility for Ammonium and Potassium Orthophosphites and Hypophosphites; A.W. Frazier and K.R. Waerstad, Kluwer Academic Publishers, Fertilizer Research 32, 1992, pp 161-168.	
		Effect of Phosphite on Tomato and Pepper Plants and on Susceptibility of Pepper to Phytophthora Root and Crown Rot in Hydroponic Culture; H.Forster, J.E. Adaskaveg, D.H. Kim, and M.E. Stanghellini, The American Phytopathological Society, Plant Disease, Vo. 82, No. 10, 1998, pp 1165-1169.	
✓		Biagro Western Sales, Inc. brochure, Nutri Phite Fertilizers, P Foliar 4-30-8, Foliar Nutrient for Vegetable and Permanent Crops (1997); MSDS (Nov. 20, 1996); product label	

Examiner Signature <i>Merf C...</i>	Date Considered	11/27/03
-------------------------------------	-----------------	----------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box → +

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

4

of

4

Complete If Known

Application Number	Not Assigned
Filing Date	Filed Herewith
First Named Inventor	John B. Taylor
Group Art Unit	Not Assigned
Examiner Name	Not Assigned
Attorney Docket Number	396542

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
M ↓		Biagro Western Sales, Inc. brochure, Nutri Grown Fertilizer, PK 0-28-26, Foliar Nutrient For Nursery Crops, Turf and Commercial Landscaping (1997); MSDS (Sept. 26, 1997); product label	
		Biagro Western Sales, Inc. brochure, Nutri Phite Fertilizers, P Soil 0-40-0, Soil Nutrient For Vegetable and Permanent Crops (1997); MSDS (Sept. 26, 1997); product label	
		Agrichem Manufacturing Industries Pty, Ltd. brochure, Supa Crop Supa Stand Phos, 1990	
		The Effectsof Sub-toxic Levels of Phosphonate on the Metabolism and Potential Virulence Factors of Phytophthora Palmivora, R.H. Dunstan, R.H. Smillie and B.R. Grant, Physiological and Molecular Plant Pathology (1990) 36, pp 205-220	
		Patsy's Nursery Chemical Sprays, 5 pages	
		Aliette Wdg., Chemical Warning and Description Label, 2 pages	
		Application For Registration of Commercial Fertilizer, 1 page	
		Nutrilan, Premium Inorganic Foliar Feed Nutritional Label, 1 page	
M		Aliette Technical Bulletin, Rhone Poulenc AG Company, February 22, 1989	
M		Comparative Antifungal Activity of Four Phosphonate Compounds Against Isolates of Nin Phytophthora Species, The American Phytopathological Society, Vol. 79, No. 7, 1989, pp. 761-767	

Examiner
Signature

[Handwritten Signature]

Date
Considered

1/27/03

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.